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Attorney's Docket No. PP17201.003 (035784/240412)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Shirley *et al.* Confirmation No.: 3374
Appl. No.: 10/035,397 Group Art Unit: 1646
Filed: October 25, 2001 Examiner: Janet L. Andres
For: HSA-FORMULATIONS OF INTERFERON-BETA

January 23, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Sir:

Attached is a list of documents on form PTO-1449 together with copies of each identified document. Also enclosed is a translation or a concise explanation of each non-English language document.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Applicants note that WO 89/05158 listed as Cite No. 33 is related to U.S. Patent No. 5,004,605 (Cite No. 8 on the PTO Form 1449 of the Information Disclosure Statement filed May 17, 2002); and CA 2,304,808 listed as Cite No. 37 is an English equivalent of WO 99/15193 (Cite No. 29 on the PTO Form 1449 of the Information Disclosure Statement filed December 13, 2002).

Applicants wish to bring to the Examiner's attention WO 99/51272 listed as Cite No. 35. This published PCT International Application corresponds to copending U.S. Patent Application No. 09/285,429, filed April 2, 1999.

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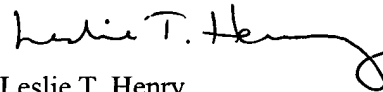
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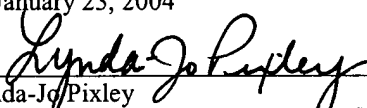
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Filed: October 25, 2001
Page 2

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier. A check for the \$180.00 fee specified in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is authorized to charge any additional fee, or credit any refund, to our Deposit Account No. 16-0605.

Respectfully submitted,



Leslie T. Henry
Registration No. 45,714

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| CUSTOMER NO. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260 | <p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 23, 2004</p>  _____ Lynda-Jo Pixley |
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Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

| Complete if Known | |
|------------------------|-----------------------------|
| Application Number | 10/035,397 |
| Filing Date | October 25, 2001 |
| First Named Inventor | Shirley |
| Group Art Unit | 1646 |
| Examiner Name | Janet L. Andres |
| Attorney Docket Number | PP17201.003 (035784/240412) |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document Number Number - Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Foreign Patent Document Country Code - Number Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
|----------------------|-------------|--|--------------------------------|---|--|---|
| | 32 | WO 89/02750 | 04-06-1989 | Cetus Corporation | | |
| | 33 | WO 89/05158 | 06-15-1989 | Cetus Corporation | | |
| | 34 | WO 98/28007 | 07-02-1998 | Biogen, Inc. | | |
| | 35 | WO 99/51272 | 10-14-1999 | Chiron Corporation | | |
| | 36 | EP 0 284 249 | 09-28-1988 | Interferon Sciences, Inc. | | |
| | 37 | CA 2,304,808 | 09-23-1997 | Dr. Rentschler Biotechnologie GMBH & Co. KG, DE | | |
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OTHER DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) , volume-issue number(s), publisher, city and/or country where published. | T |
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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.